



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

May 28, 2014

Agenda Item: Review and Comment (RC-14-136) for a new running track at **350 Temple Street**
Property is zoned RG-3/Beltline.

Applicant: Michelle Ritsch
57 Standish Avenue

Facts: Kipp Ways Academy is located in the Bankhead Neighborhood in NPU K.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

The lot in question has frontage on both Temple Street and Joseph E. Boone Boulevard. The Applicant is proposing a new gravel running track on the side of the school, closest to Joseph E. Boone Boulevard. The Applicant did not submit any pictures of the existing conditions and no information about the school. Staff suggests the Applicant provide pictures of the existing site, information regarding the ages or grades of the kids this school serves and information regarding the programming for physical education and activities.

In looking at the existing site layout, the running track cannot be located anywhere else on the site. In general, Staff does not have concerns regarding the addition of a running track. Staff finds having an area on the site that allows for physical activity is important to have at all schools. Without knowing more information about the ages or grades of the kids and some basic programming information, it is not clear whether a running track is the most appropriate use of this area as opposed to a playground or athletic field.

Staff has concerns regarding the actual running surface. While gravel is sometimes used as a running surface, Staff questions whether gravel is the best option. Gravel can be difficult as a running surface

depending on its size. Staff suggests the Applicant provide information regarding the size of the gravel that will be used for the running track. Staff suggests the Applicant provide information regarding other running surfaces that were considered and why gravel was chosen.

There are notations on the plans that indicate part of the running track will be used for parking. Given the location of the track, Staff has a concern regarding the potential for a significant amount of parking off of Joseph E. Boone Boulevard. Staff suggests the Applicant clarify how much of the running track area will be used for parking.

Staff Recommendation: Staff recommends the Commission deliver its comments at the meeting.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 28, 2014

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-14-138) for site work at **66-68 Hogue Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Geraldine Burgess
66 Hogue Street

Facts: According to the inventory information, 66 Hogue is a two story residential building built in 1936 and is considered contributing. 68 Hogue is the Zion Tabernacle Church built in 1909 and is considered contributing. .

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark Districts:

b. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

(1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.

(2) The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style, and shall further ensure the compatibility of future developments within this HC district.

(3) The power to hear, grant or deny variances and special exceptions from these regulations shall rest with the AUDC.

(4) Procedure for variance: Upon a determination by the AUDC that an application for renovation or new construction is in conflict with these regulations and/or the guidelines, the

AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.

(5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."

(11) *Off-street parking:*

a. Off-street parking shall not be permitted in the front yard of a lot used for residential purposes.

b. Off-street parking shall be permitted in the side and/or rear yard of a lot used for residential purposes.

Per Section 16-20C.005 – Residential District Sub-area 2:

In addition to the general regulations required in section 16-20C.003, the following regulations shall apply to any new development, rehabilitation or the conversion of any existing structures to permitted uses within the residential district subarea.

These regulations are intended to preserve the character and scale of the residential environment as it existed during the historic period of the Martin Luther King, Jr. Landmark District. These regulations are intended to ensure that permitted uses will maintain the historic integrity of the subarea and the district as a whole.

(1) *Permitted principal uses:*

a. Single-family dwellings.

(3) *Development controls:*

a. All front, side and rear yard setbacks shall be established through utilization of the compatibility rule on block-by-block basis. A variance of five percent (5%) may be allowed. All new construction shall maintain a minimum of seven (7) feet for side yard setback and 10 feet for rear yard setbacks where the compatibility rule would permit otherwise.

b. *Maximum height:* The compatibility rule shall apply with variance up to 10 percent permitted.

Per Section 16-20.009. Further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.
- (8) Considerations on proposed moving of structures, in whole or in part, shall include the effect on the neighborhood from which the move is made. In general, where the structure forms a significant part of a complex of similarly meritorious buildings, preference shall be given to relocation on a site elsewhere in the district. Where the structure does not form part of such a complex, preference shall be given to removal to a location in which the addition will reinforce existing complexes of buildings of significant historic, architectural and/or cultural character.

The Applicant is proposing to install a walkway in between two existing buildings. While both properties are adjacent to each other and owned by the same person, the lots themselves are separate and have different addresses. While Staff does not have a general concern regarding the installation of a walkway, Staff would note that construction across a property line is not allowed. Staff recommends the walkway is constructed in a way that clearly delineates the property line.

The proposed walkway is 10' wide. Staff has concerns that a 10' wide, 65' long paved area is really a driveway and might eventually be used for parking. Staff finds that a walkway should be a maximum of 6' wide. Staff recommends that the walkway is no more than 6' wide. The material of the walkway is not indicated on the plans. Staff recommends the proposed walkway is concrete.

Staff Recommendations: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20C.003(4);

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA2-14-138) for site work at **66-68 Hogue Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. The walkway shall be constructed in a way that clearly delineates the property line.
2. The walkway shall be no more than 6' wide, per Section 16-20.009(6);
3. The proposed walkway shall be concrete, per Section 16-20.009(6); and
4. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 28, 2014

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-14-141) for alterations at **132 Walker Street**- Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: John Mulcahy
1740 Noble Drive

Facts: According to the Castleberry Hill inventory sheets, this two-story commercial building was built in 1925 and is considered contributing.

On June 14, 2006 a Type III Certificate of Appropriateness (LD-06-125) was approved with conditions to allow for a third floor addition to an existing building.

On December 11, 2007 a Type II Certificate of Appropriateness (LD-07-095) for a revision to plans to allow for a third floor addition to an existing building was approved with conditions.

Analysis: The following Atlanta Land Development code sections apply to this application:

Section 16-20N.005. Certificates of Appropriateness.

1. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
4. Type III certificates of appropriateness shall be required for:
 - (a) Construction of all new principal structures;
 - (b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.
5. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features, which destroys the structure's historic interpretability or importance.

Section 16-20N.006. General Regulations.

The following general regulations shall apply to all properties located within the District.

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (a) The historic character of a property shall be retained and preserved.
 - (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

- (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
- (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
- (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20N.007 or section 16-20N.008, as applicable.
- (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.

2. Compatibility rule.

(a) The intent of the regulations and guidelines is to ensure that alterations and additions to existing structures and new construction are compatible with the design, proportions, scale, and general character of the block face, the entire block, a particular subarea or the district as a whole. To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (building proportion, roof form, fenestration, etc.) shall match that which predominates on the contributing buildings in the subarea. Where quantifiable, the element in question (i.e., distance of first floor above sidewalk grade), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings in the subarea."

(b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

7. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.

9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:

(h) Awnings and canopies.

- i. Original awnings and canopies shall be retained.
- ii. Replacement awnings or canopies are permitted only when original awnings or canopies cannot be rehabilitated.
- iii. Awnings and canopies must have a minimum clearance of eight feet above the sidewalk level, and shall not encroach more than five feet over the public sidewalk.
- iv. Installation of new canopies, where none previously existed, shall be permitted only if they are compatible with the original structure.
- v. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
- vi. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
- vii. Multiple awnings on a single building shall be similar in shape and configuration.
- viii. Only that portion of the awning used for signage shall be illuminated.

The Applicant is proposing to install flat metal canopies that will be located above a single door and a storefront and below the second floor windows. Per regulations, the installation of canopies is allowed when compatible with the existing building. Staff finds flat metal canopies are compatible with the architecture of the existing building. Staff has no general concerns regarding the installation of canopies.

Per regulations, proposed canopies shall be located no less than 8' above the sidewalk. The canopy is more than 8' above the sidewalk and therefore meets the requirements. Per regulations, proposed canopies shall not encroach more than 5' over the sidewalk. The proposed canopy will encroach 4'

over the sidewalk and therefore meets the requirements. Staff finds the material, design, shape and location of the canopies is appropriate and compatible with the existing building. It is not clear how the canopies will be attached to the building. Staff has concerns the canopies will be anchored directly into the brick. To avoid damage to the historic brick, Staff recommends the canopies are installed in a way that will cause the least amount of damage to the existing brick.

Staff Recommendation: Based upon the following:

(a) The plans meet the regulations per Section 16-20N.006 and 16-20N.007; except as noted above

Staff recommends approval of the Application for a Type II Certificate of (CA2-14-141) for alterations at **132 Walker Street**- Property is zoned Castleberry Hill Landmark District (Subarea 1), with the following conditions:

- 1) The canopies shall be installed in a way that will cause the least amount of damage to the existing brick, per Section 16-20N.006(j); and
- 2) Staff shall review and if appropriate approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 28, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-143) for alterations and an addition at **722 Woodson Street**– Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Stephen Russell
943 Peachtree Street

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1929 is considered contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;

Per Section 16-20K.007:

- (1) *Development Controls.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

(B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

(C) *Rear Yard:* Rear yard setback shall be seven feet.
shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

- (2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and

architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is an interior lot, Staff will make comments on the site and changes that face a public street only.

Site

The Applicant submitted a site plan and a survey. Staff would note that there is a slight discrepancy between the site plan and survey. According to the City records, the existing lot fronts 45' on Woodson and has a depth of 100'. Staff would note that the City records and the Applicant's records are slightly different. Staff suggests the Applicant contact the Office of Planning Subdivision Staff to resolve the discrepancy in the site measurements.

As this is a non-conforming lot, the maximum FAR (floor area ratio) shall not exceed the lesser of either: 3,750 sq. ft. 0.65 of the net lot area. The Applicant did not provide any information regarding the FAR. Staff recommends the Applicant provide documentation the project meets the FAR requirement. Per underlying zoning, the maximum lot coverage allowed is 55%. The Applicant did not provide any information regarding the lot coverage. Staff recommends the Applicant provide documentation the lot coverage requirement has been met.

Per regulations, the side yard setbacks shall either be no less than 7' or no closer the property line than the existing house. Staff finds the side yard setback has been met. Per regulations, the rear yard setback shall be no less than 7'. Staff finds the rear yard setback is more than 7' and therefore meets the requirement.

Front Façade Changes

In looking at pictures submitted by the Applicant, there is currently no front porch railing. Given the height of the foundation, a railing is required to meet safety code. The Applicant is proposing to install a new wood railing. While Staff has no general concerns regarding the installation of the railing, Staff suggests the railing have a two-part top and bottom rail with 2" by 2" pickets the butt joint the top and bottom rail.

The Applicant is proposing to remove the existing columns and install new square fluted columns. In looking at pictures submitted by the Applicant, some of the columns appear to appear to be in disrepair. Some of the columns do not match and are likely not historic. Staff does not have a concern with the replacement of the existing columns. Staff finds the proposed columns are appropriate.

The general notes for the house indicate changes to the siding and windows. It is not clear if these notes refer to any changes to the front façade. There is an indication of a simple metal railing on the side front façade porch. In looking at pictures, the existing metal railing has a slightly different design than indicated on the elevations. Staff recommends the Applicant clarify whether there will be any changes to the windows, siding or metal railing on the façade that faces a public street.

Additions

In looking at pictures, there is an existing cantilevered bump out. While there are no notes on the plans, it appears that a foundation will be added to the existing bump out. As the foundation will face a public street, it is within the purview of the Commission. Staff recommends the Applicant clarify whether a foundation will be added to the existing bump out. While Staff finds that the addition of a foundation would be an improvement, Staff recommends the foundation materials meet the requirements.

A portion of the side addition towards the rear of the house faces the street. In general, Staff finds the overall massing, design and materials of the front portion of the side addition are appropriate. One concern is the proposed split faced concrete foundation material. Staff finds split faced concrete does not meet the requirements. Staff recommends the proposed foundation material meet the requirements.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-143) for alterations and an addition at **722 Woodson Street**– Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-07.008(5);
2. The Applicant shall provide documentation the lot coverage requirement has been met, per Section 16-07.008(6);
3. The Applicant shall clarify whether there will be any changes to the windows, siding or metal railing on the façade that faces a street;
4. The Applicant shall clarify whether a foundation will be added to the existing bump out;
5. The foundation material for the existing bump out and the side addition shall meet the requirements, per Section 16-20K.007(2)(D); and
6. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 28, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-144) for alterations and additions at **342 - 360 Nelson St.** Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Bruce Gallman
 342 Nelson St.

Facts: The existing two story building (as it faces Nelson Street) has a footprint that takes up the entire lot. According to the Castleberry Hill inventory sheets, this commercial building (known as the Fulton Supply Building) was built around 1923 and is considered contributing. Immediately to the south of the Fulton Supply Company Building, at 360 Nelson Street, is the shell of another building in which only the four walls and basement floor still exist.

The window and door openings on the Nelson Street side of the building were considerably altered in the 1950s, with many windows being removed, the masonry openings blocked in and loading docks added. The Applicant supplied an undated historic photograph with their submission which would appear to show the original configuration of the Nelson Street façade.

The applicant proposes to convert the Fulton Supply Building into 73 lofts (including one live/work loft), while the building shell to the south will have parking on the basement floor; a small, raised green space located along the Nelson Street frontage; and it will provide access to the parking in the basement level of the Fulton Supply Company Building.

More specifically, the Applicant proposes to:

1. On the Nelson Street façade of the Fulton Supply Building, remove all of the 1950s alterations, including the loading docks, horizontal metal windows, brick infill, and glass block infill. Retain the cast stone surrounds around the entrances.
2. On the Nelson Street façade of the Fulton Supply Building, re-create almost all of the “original” appearance with new storefront window systems, and double-hung windows with transoms in the upper level.
3. On the south (side) façade of the Fulton Supply Building, add 18 new windows on three different levels.
4. On the rear façade of the Fulton Supply Building, removal all infill materials, glass block, and steel windows.

5. On the rear façade of the Fulton Supply Building and 360 Nelson Street, add single hung windows with transoms, add two vehicle access points at the basement level, maintain clear openings at basement / garage level with metal railings, and add an opening for access to garage in 360 Nelson Street.
6. On the front portion of 360 Nelson Street, add a raised garden area and install a six (6) ft. wrought iron fence.
7. On the roof top of the Fulton supply Company Building, add a large skylight and rooftop additions for the loft units.
8. Add a fence along the entrance to the rear alley / driveway easement.
9. Stabilize the facades of the 360 Nelson Street Building.

Analysis: The following code sections apply to this application:

Per Section 16-20N.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the proposed Castleberry Landmark District.

Section 16-20N.005. Certificates of Appropriateness.

4. Type III certificates of appropriateness shall be required for:

- (b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.

Section 16-20N.006. General Regulations.

The following general regulations shall apply to all properties located within the District.

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (a) The historic character of a property shall be retained and preserved.
 - (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20N.007 or section 16-20N.008, as applicable.
 - (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.
2. Compatibility rule.
 - (a) The intent of the regulations and guidelines is to ensure that alterations and additions to existing structures and new construction are compatible with the design, proportions, scale, and general character of the block face, the entire block, a particular subarea or the district as a whole. To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (building proportion, roof form, fenestration, etc.) shall match that which predominates on the contributing buildings in the subarea. Where

quantifiable, the element in question (i.e., distance of first floor above sidewalk grade), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings in the subarea.”

- (b) Those elements to which the rule applies are noted in the regulations by a reference to the “compatibility rule.”

8. Off-street and off-site parking.

- (a) All new construction, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential uses, or any change in use shall include the required off-street parking.
- (b) The number of required off-street parking spaces is set out in each subarea.
- (c) Off-street or off-site parking located adjacent to public streets or sidewalks shall include landscape buffer strips along the public street or sidewalk. Landscape buffer strips shall be: a minimum of three (3) feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of twelve (12) feet in height at time of planting placed no further than twenty-five (25) feet on center. All landscape buffer strips shall be maintained in a slightly manner.
- (d) Use of shared driveways and/or alleys is encouraged. Required driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the commission.
- (e) Curb cuts and driveways are not permitted on any arterial street when reasonable access may be provided from a side or rear street or from an alley.
- (f) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
- (j) Sidewalk paving materials shall be continued across intervening driveways.
- (k) Entrances to garages that serve residential units shall be located in a side or rear yard.
- (l) All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards, to serve garages and parking areas.

9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:

- (c) All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than nine (9) feet above the sidewalk.
- (d) Sidewalk level development without fenestration shall not exceed a maximum length of ten (10) feet of façade.
- (f) Relationship of building to street.
 - i. The first eight (8) feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage.
 - ii. The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - a. Be visible from the street.
 - b. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.
 - c. Face and be visible to an arterial street when located adjacent to such arterial streets.
 - iii. A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, shall contrast with their background, and shall be a minimum of four inches in height with a minimum stroke of 0.5 inch.
- (g) Façade Materials. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principle structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any façade.

11. Structures on the roofs of principal buildings.

- (a) All components of a structure or addition on the roof of a principal building visible from a public street shall be metal or masonry.
- (b) The enclosed floor area of a structure shall not exceed 25% of the total roof area, unless otherwise necessary to meet the minimum requirements for mechanical and elevator equipment, stairwells, elevator, and stair landings.
- (c) Enclosed structures shall not exceed 10 (ten) feet in height above the parapet wall and shall be setback no less than 10 (ten) feet from all street-fronting facades.
- (d) All components of a structure or addition on a roof of a principal building shall be set behind the parapet wall.

13. Fences, walls, and retaining walls.

- (a) Fences shall be no more than ten feet high.
- (b) Fences between the principal building and the public street shall be constructed of metal, brick, stone, ornamental iron or metal, or architectural masonry.
- (c) Fences to the rear or side of the principal building shall be constructed of metal, brick stone, ornamental iron or metal, architectural masonry, chain link, or wood.

- (d) Walls shall not be permitted between the principal building and the public street. Walls shall be no more than ten feet high. Walls, including retaining walls, shall be constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco.
- (e) Retaining walls adjacent to a public street or sidewalk shall not exceed four feet in height, unless required by existing site topography.
- (f) Adjacent to a public street or sidewalk, the total height of any combination of fencing, wall and/or retaining wall shall not exceed ten feet.

Section 16-20N.007 - Specific Regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

1. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:
 - (a) The compatibility rule shall apply to the general façade organization, proportion, scale, and roof form of the principal structure.
 - (b) The height of a principal structure shall be 40 feet. Properties with first floor retail space exceeding 12 feet in height shall have a ten percent height bonus, allowing for a maximum height not to exceed 44 feet. With the exception of properties north and east of Mangum Street that front Nelson Street, which shall have a ten-foot height bonus, allowing for a maximum height not to exceed 50 feet.
 - (c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - (d) Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - a. The style and material of the individual window or door.
 - b. The size and shape of individual window and door openings.
 - c. The overall pattern of fenestration as it relates to the building façade.
 - d. The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - iv. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
 - (e) Facades.
 - i. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principal structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any facade.
 - ii. Covering of the original façade shall not be permitted.
 - iii. Painting of unpainted stone, terra cotta, and brick is prohibited.
 - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
 - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
2. Permitted principal uses and structures: A building or premises shall be used only for the following principle purposes:
 - (a) Multi-family dwellings, two-family dwellings, and single-family dwellings.
3. Off-Street Parking Requirements

The following parking requirements shall apply to all uses:

 - (a) Off-street parking shall not be permitted between the principal building and the public street.
 - (b) Off-street parking may be located in a rear or side yard.
 - (c) All dwellings: Off-street parking requirements shall be as follows: See section 16-08.007, Table I, for applicable ratios according to the appropriate floor area ratio.

Off-Street Parking and Parking Requirements

The Applicant proposes 74 loft units and has based their parking count on one (1) parking space per loft unit. The parking will be provided in the basement of the Fulton Supply Company Building the basement floor of 390 Nelson Street building, which is on a separate parcel. The Staff counted 66 parking spaces on the site plan / basement floor plan, 12 of which are located at 360 Nelson Street.

This is less than one (1) per unit. The District regulations base the number of parking spaces on the floor area ratio of the project, not the number of living units. The floor area ratio must be calculated and then using the Residential General Land Use Intensity Table, the corresponding number of parking spaces must be provided. Further, the District regulations require that these spaces be all provided on-site. Given that 360 Nelson Street is a separate parcel (and no floor area is proposed on that parcel), parking spaces at 360 Nelson Street would be considered off-site. If the required number of parking spaces can't be provided within the Fulton Supply Company Building, a variance / special exception from the Commission will be required.

The Staff would recommend the Applicant calculate the floor area ratio of the project, the corresponding number of required on-site parking spaces, the number of parking spaces actually provided on-site, and determine if a variance / special exception is necessary.

Lastly, parking lots (or parking decks) are not an allowed principal use in Subarea 1 of the District. As 360 is a separate lot, the parking on the lot is the only use on the lot which makes it that property's principal use. As such, the Staff finds that the parking at 360 Nelson Street must meet the criteria used in the City's Zoning Ordinance for being considered accessory parking to the use at the Fulton Supply Building. The Staff would recommend the Applicant provide documentation that the parking at 360 Nelson Street is considered an accessory use to the residential use at the Fulton Supply Building;

Vehicle Access

The District regulations require vehicle access to required parking be provided by an independent driveway connected to a public street. While it would appear that there is direct access out of the parking in 360 Nelson Street to Magnum Street through a wedge shaped piece of property, it is not clear how ingress into the parking areas will be created. Further, site plan notes this wedge shaped piece of property as a separate parcel and refers to a "driveway easement", though its location and size are unclear. Further, a separate parcel and a driveway easement do not necessarily qualify as an independent driveway situation.

The Staff would recommend the Applicant clarify and clearly show on the site plan the vehicle access to the project, document the existence of an on-site, independent driveway connected to a public street and provide further information about the driveway easement.

Specific Design Components

On the Nelson Street façade of the Fulton Supply Building, remove all of the 1950s alterations, including the loading docks, horizontal metal windows, brick infill, and glass block infill. Retain the cast stone surrounds around the entrances.

The Staff has no concerns about the removal of the 1950s alterations.

On the Nelson Street façade of the Fulton Supply Building, re-create almost all of the "original" appearance with new storefront window systems, and double-hung windows with transoms in the upper level.

While the Staff does not have concerns about the partial re-creation of the "original" façade appearance, it appears that in the "historic" photograph the storefront windows have two plate glass windows with three transom windows above each within in masonry opening. The proposed design is three plate glass windows with two transom windows above each.

The Staff would recommend the storefront window light pattern match that of the historic photograph provided in the submission and meet the District regulations regarding materials and details.

In addition, the Staff is concerned about the inclusion of iron gates at each pedestrian entrance. The Staff does not find that this is compatible with the building or meets the District regulations. The Staff would recommend the metal gates are removed from around the Nelson Street entrances.

Further, the Staff would recommend that a street address / building number that meets the District regulations be added to the Nelson Street façade.

On the south (side) façade of the Fulton Supply Building, add 18 new windows on three different levels.

The Staff is very concerned about the creation of the 18 new window openings on the south façade of the Fulton Supply Building. While it understand the need for the natural light into the loft units that abut that wall, the number, size, and design of the windows will be a significant and potentially incompatible change to a façade of the building that was never meant to have such openings. The Staff would recommend the number, size, and design of the windows opening on the south façade of the Fulton Supply Building be revised to be more compatible with the building and their location on a previously unexposed wall.

On the rear façade of the Fulton Supply Building, removal all infill materials, glass block, and steel windows.

The Staff is concerned about the removal of the steel windows on the rear façade, as they appear original to the structure. The Applicant has provided no documentation that they are a later alteration. The Staff would recommend the Applicant document the time period of the steel windows on the rear façade of the Fulton Supply Company Building and the rationale for their replacement.

On the rear façade of the Fulton Supply Building and 360 Nelson Street, add single hung windows with transoms, add two vehicle access points at the basement level, maintain clear openings at basement / garage level with metal railings, and add an opening for access to garage in 360 Nelson Street.

Apart from the concern noted above regarding the removal of the steel windows, the Staff generally agrees with the rest of the alterations to the rear façade. The Staff only concern is regarding the technique and approach that will be used to create the vehicle access openings in the stone, rubble basement wall. In particular, the Staff is concerned about the stability of the 360 Nelson Street façade. The Staff would recommend the Applicant provide a detailed work program and construction narrative regarding the creation of the vehicle access openings in the basement of the Fulton Supply Company building and the 360 Nelson Street Building.

On the front portion of 360 Nelson Street, add a raised garden area and install a six (6) ft. wrought iron fence.

Apart from a basic graphic on the front elevation page and a general description in the narrative, there is no design information included about this feature. Further, the Staff is concerned that the ornamental fence and undefined landscape plantings will be incompatible with the commercial and industrial character of the District. Given the otherwise continues “street wall” created by the building facades along Nelson Street, the Staff would consider a more solid, opaque screen be considered for this component of the project. The Staff would recommend that the front portion of 360 Nelson Street be redesigned to be more compatible with the industrial and commercial character of the District.

On the roof top of the Fulton supply Company Building, add a large skylight and rooftop additions for the loft units.

The District regulations only allow 25% of a roof area to be enclosed within a structure. The roof plane notes that the enclosed area and the skylights constitute about 43% of the roof area. While the Staff does not consider the skylights to be enclosed within a structure, there is not calculation provided related to the enclosed structure portion of the roof changes. The Staff would note that the roof structure is behind the parapet wall, is more than 10 ft. back from the street facing façade and appears to be less than 10 ft. above the parapet wall. There are no materials listed for the roof top structure. The Staff would recommend the Applicant clarify the details of the roof top structure.

Add a fence along the entrance to the rear alley / driveway easement.

No detailed information was provided about the fence along Magnum Street. The Staff would recommend the Applicant provide more information about the fence along Magnum Street.

Stabilize the facades of the 360 Nelson Street Building.

No detailed information was provided about the approach to “stabilize” the facades of the 360 Nelson Street Building. The Staff would recommend the Applicant provide a detailed work program and construction narrative regarding the stabilization of the 360 Nelson Street Building facades.

Staff Recommendation: Based upon the following:

(a) The plans meet the regulations per Section 16-20N.006; except as noted above.

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-14-144) for alterations and additions at **342 - 360 Nelson St.** Property is zoned Castleberry Hill Landmark District (Subarea 1), to allow time for the Applicant to address the following issues and concerns:

1. The Applicant shall calculate the floor area ratio of the project, the corresponding number of required on-site parking spaces, the number of parking spaces actually provided on-site, and shall determine if a variance / special exception is necessary, per Section 16-20N.007(3);
2. The Applicant shall provide documentation that the parking at 360 Nelson Street is considered an accessory use to the residential use at the Fulton Supply Building;
3. The Applicant shall clarify and clearly show on the site plan the vehicle access to the project, document the existence of an on-site, independent driveway connected to a public street and shall provide further information about the driveway easement, per Section 16-20N.006(8);
4. The storefront window light pattern shall match that of the historic photograph provided in the submission and meet the District regulations regarding materials and details, per Section 16-20N.006(1);
5. The metal gates shall be removed from around the Nelson Street entrances, per Section 16-20N.006(1);
6. A street address / building number that meets the District regulations shall be added to the Nelson Street façade, per Section 16-20N.006(9)(f)(iii);
7. The number, size, and design of the windows opening on the south façade of the Fulton Supply Building shall be revised to be more compatible with the building and their location on a previously unexposed wall, per Section 16-20N.006(1);
8. The Applicant shall document the time period of the steel windows on the rear façade of the Fulton Supply Company Building and the rationale for their replacement, per Section 16-20N.006(1);
9. The Applicant shall provide a detailed work program and construction narrative regarding the creation of the vehicle access openings in the basement of the Fulton Supply Company building and the 360 Nelson Street Building, per Section 16-20N.006(1);

10. The front portion of 360 Nelson Street shall be redesigned to be more compatible with the industrial and commercial character of the District, per Section 16-20N.006(1);
11. The Applicant shall clarify the details of the roof top structure, per Section 16-20N.006(11);
12. The Applicant shall provide more information about the fence along Magnum Street, per Section 16-20N.006(13);
13. The Applicant shall provide a detailed work program and construction narrative regarding the stabilization of the 360 Nelson Street Building facades, per Section 16-20N.006(1);
14. The Applicant shall submit all of the updated or revised information, plans, and supporting materials (including the required number of copies) no later than eight (8) days before the Commission meeting to which this application is deferred.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0311
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 28, 2014

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-14-047) for construction of a new single family house and (CA3-14-142) for a variance to allow a garage that faces the street at **807 Hill Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.

Applicant: Laurie Imes
600 Virginia Avenue

Facts: According to the Grant Park Inventory sheet this is currently a vacant lot.

This application was deferred to allow the Applicant time to submit a variance request and revised plans.

Analysis: The following code sections apply to this application:
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features

which destroys the structure's historic interpretability or importance.

- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

Section 16-20K.007. Specific Regulations - Residential Subarea I

- (1) *Development Controls.*
 - a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
 - c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
 - d. *Off-street parking and driveway requirements:*
 - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.
- (2) *Architectural Standards.*
 - A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

- B. *Design Standards and Criteria for New Principal Structures.*
 - 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 - 2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 - 4. All front facades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 - 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 - 6. The height of the principal structure shall not exceed thirty-five (35) feet. (See section 16-28.022 for excluded portions of structures.)
 - 7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two (2) entrance step risers each of which shall be no less than six (6) inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 - 8. Garages entrances are prohibited on the front facade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.

9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any facade that faces a public street shall originate at grade.
11. Any facades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

E. Site development, sidewalks and curbs:

 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.

4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

Variance Request

The Applicant is requesting a variance to allow a double car garage that faces the street. According to the Applicant, the double car garage has to face the street in order to avoid impacting the critical root zones of the trees at the rear of the property. In addition, the Applicant has concerns a one car garage that faces the street is not feasible because there are three vehicles and a utility trailer that will be located at the home.

Staff finds there are likely solutions that would allow the Applicant to have a two car garage with doors that do not face a public street. Based on the variance criteria, Staff finds the Applicant has not proven that it is a hardship to have a single car garage that faces a public street. Staff finds there are likely other solutions for parking that do not require a two car garage and would have less of an impact on the critical root zone. Based on the information we have at this time, Staff cannot support the variance request.

While the variance addendum indicates the above mentioned variance, the narrative indicates a request for an additional variance for a 20' wide curb cut as opposed to a 10' curb cut as allowed by the regulations. As Staff was unaware of the additional variance request, the 20' curb cut request will have to be deferred to allow the required notification and advertising. As Staff is not in support of the variance for a double car garage that faces a public street, Staff cannot support the request for a wider curb cut at this time.

Plan Discrepancy

In looking at the plans submitted, the elevations, floor plans and various site plans are not internally consistent. The Applicant has submitted three different options for site plans. Staff can only review one option. Staff recommends the Applicant submit elevations, floor plans and site plans that are clear and internally consistent.

Site Plan

The existing corner lot fronts 70' on Hill Street Street and front 119.84' on South Avenue. In looking at the City of Atlanta lot boundary map, there is a very slight discrepancy. Staff suggests the Applicant contact the Office of Planning Subdivision Staff to resolve the discrepancy. Staff will base its site analysis on the site plan labeled "option three" as this site plan is the only one consistent with the proposed elevations.

Per underlying zoning, the maximum FAR (floor area ratio) allowed is .50. The proposed FAR is not indicated on the site plans. In looking at the floor plans, the heated space, including a future attic build out is 3083 sq. ft. Given the size of the lot, Staff finds the FAR requirement has been met. Per underlying zoning, the maximum lot coverage is 55%. The proposed lot coverage is 28.2% and therefore meets the requirements.

Per regulations, the front and half depth front yard are either based on the compatibility rule. As there are no contributing buildings of like use on the block face, the Applicant chose another block face nearby. Staff does not have a concern regarding the proposed block face. According to the Applicant, the contributing houses on

the new block face have front yard setbacks that range from 10.3' to 26.7'. The proposed is 18.2' and therefore meets the requirements. According to the Applicant, the half depth front yards on the block face range from 2.3' to 17.7'. The proposed half depth front yard is 20' and therefore does not meet the requirement. Staff recommends the half depth front yard be no more than 17.7' and no less than 2.3'. Per regulations the side and rear yard setback shall be no less than 7'. Staff finds the rear and side yard setback requirement has been met.

Per regulations, a walkway from the front entryway to the sidewalk is required. The site plan does not indicate the required walkway. Staff recommends the site plan indicate a walkway from the entryway to the sidewalk. In looking at pictures submitted by the Applicant, the current condition and material for the sidewalks on Hill Street and South Avenue are not clear. Staff recommends the Applicant clarify the condition and materials for the sidewalks on Hill Street and South Avenue. If the sidewalks are damaged during construction, Staff recommends the sidewalks are repaired or replaced as specified by the regulations.

As indicated in the variance section, Staff is not in support of a two car garage that faces the street or a 20' curb cut. Staff recommends the site plan is revised so that the proposed off-street parking, driveway and curb cut meet the requirements.

Massing and Building Height

The proposed two story house is defined by a 10 in 12 hipped roof, a single story half width porch, a projecting bay on the Hill Street elevation and a side addition in the half depth front yard. In general, the Hill Street elevation is typical of some of the two story houses in the district. In looking at the half depth front yard, Staff finds the side addition for the garage is not typical of other two story houses in the district. While not prohibited by the regulations, Staff suggests eliminating the side addition in the half depth front yard.

Per regulations, the maximum height allowed is 35'. The Grant Park Historic district regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. Staff finds the proposed house is no taller than the maximum 35' allowed. While the majority of the historic houses on the block are single-story, Staff finds the overall height and massing meets the requirements.

Building Facades

The Commission reviews the facades that face a public street. This is a corner lot, therefore Staff will comment on all facades that face a public street.

Windows and Doors

A single front door is parallel and facing Hill Street and South Avenue as required. The material of the doors is not clear. Staff recommends the Applicant clarify the material of the doors on the front and half depth front yard. As indicated in the variance section, Staff does not support the variance to allow two garage doors that face a public street. As such, Staff recommends the South Avenue elevation have no more than one single car garage door.

The Applicant is proposing 4 over 1 windows. The material details are not clear. Staff recommends the plans indicate the material details for the windows. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or the windows shall be no less than 15% and no more than 40% of the wall surface.

While the fenestration pattern on Hill Street is compatible and meets the percentage requirement, Staff finds the South Avenue elevation does not meet the fenestration requirements. Staff also finds that the portion of the side addition that faces Hill Street does not meet the fenestration requirements. Staff recommends the South Avenue elevation and the portion of the side addition that faces Hill Street meet the fenestration requirements. Staff

suggests all windows with divided lites are either simulated divided lite or true divided lite to be consistent with the historic windows in the district.

Building Materials

The Applicant is proposing 5" wood lap siding, stone or brick veneer for the porch foundation, stucco veneer for the house foundation, wood trim, asphalt shingles, wood pickets, wood columns and a metal roof for the door. In general, Staff finds the proposed materials are appropriate and meet the requirements. Staff does have a concern regarding having two different foundation materials that face a public street. While not prohibited by the regulations, Staff suggests the foundation material for the porch and the house is consistent.

Porch

Per regulations, the minimum depth for new porches is 7'. The proposed front porch has a depth of 7' and therefore meets the requirements. The porch features columns and railings that are compatible with other similar porches in the district. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style. Given the size of the porch, Staff finds that four large columns are not needed. Staff suggests the number of columns and or the size of the columns is reduced to be consistent with other similar porches in the district.

Staff Recommendation: Based upon the following:

- 1) The plans do not meet the variance criteria, per Section 16-20K.006(3);

Staff recommends denial of the application for a Type III Certificate of Appropriateness (CA3-14-142) for a variance to allow a garage that faces the street at **807 Hill Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-14-047) for construction of a new single family house at **807 Hill Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline, with the following conditions:

1. The Applicant shall submit elevations, floor plans and site plans that are clear and internally consistent;
2. The half depth front yard shall be no more than 17.7' and no less than 2.3', per Section 16-20K.007(1);
3. The site plan shall a walkway from the front entryway to the sidewalk, per Section 16-20K.007(2)(B)(2);
4. The Applicant shall clarify the condition and materials for the sidewalks on Hill Street and South Avenue;
5. If the sidewalks are damaged during construction, the sidewalks shall repaired or replaced as specified by the regulations, per Section 16-20K.007(2)(E);
6. The site plan shall be revised so that the proposed off-street parking, driveway and curb cut meet the requirements, per Section 16-20K.007(2)(B)(8) and (1)(d)(3);
7. The Applicant shall clarify the material of the doors on the front and half depth front yard;
8. The South Avenue elevation shall have no more than one single car garage door, per Section 16-20K.007(2)(B)(8);
9. The South Avenue elevation and the portion of the side addition that faces Hill Street shall meet the fenestration requirements, per Section 16-20K.007(2)(B)(11); and
10. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

May 14, 2014

Updated

May 28, 2014

(updated information in italics)

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-13-114) for a new single family house at **1172 Oak Street**-Property is zoned R-4A/West End Historic District.

Applicant: Rosemary Kernahan
519 Memorial Drive

Facts: According to the West End Historic district inventory this is a vacant lot.

At the May 14, 2014 meeting, this application was deferred to allow the Applicant time to address the concerns of Staff and the Commission.

Analysis: The following code sections apply to this application:
Per Section 16-20G.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to the West End Historic District.

Sec. 16-20G.005. - General regulations.

(2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

(1) *Generally*: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) *Building Façades*:

(a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.

(b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.

(c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.

(d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.

(e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.

(f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.

(g) No structure shall exceed that height established by the compatibility rule.

(3) *Windows and Doors*:

(a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.

(b) Original window and door openings shall not be blocked or enclosed, in whole or in part.

(c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.

(d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

(e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.

(f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.

(g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

(h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.

(i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.

(j) New windows or doors added to existing structures shall be located façades that don't face a public street.

(k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.

(4) *Storm Doors, Storm Windows, Shutters and Awnings:*

(a) Shutters shall not be added to the building if they were not a part of the original building.

(b) Shutters shall be operable or appear operable, and shall fit the size of the window.

(c) Replacement shutters shall match the original shutters in design, materials and configuration.

(d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.

(e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.

(5) *Foundations:*

(a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.

(b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.

(c) Slab on grade is not permitted.

(d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.

(6) *Chimneys:*

(a) Chimneys shall match original materials, mortar, color and pattern whenever possible.

(b) New chimneys shall be faced with brick or stucco.

(c) Siding on chimneys is prohibited.

(d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

(7) *Roofs:*

(a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.

(b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.

(c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.

(d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.

(9) *Porches:*

(a) Architecturally significant porches, including their component features, steps and stoops shall be retained.

(b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.

(c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.

(d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.

(17) *Public Sidewalks and Planting Strips:*

(a) Existing public sidewalks, planting strips, and associated topography shall be retained.

(b) The public sidewalk shall be the same width as the sidewalk on abutting properties.

(c) The compatibility rule shall apply to public sidewalk paving materials.

(d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

Site

The lot in question fronts 51.95' on Oak Street and has a depth of 150.07' on its longest side. In looking at the lot boundary map, Staff finds there is a very slight discrepancy in the frontage measurement. Staff suggests the Applicant contact the Office of Planning subdivision staff to resolve the discrepancy in the frontage measurement.

Per regulations, the front yard setback is based on the compatibility rule. Staff would note that one of the points of comparison (1160 Oak Street) is non-contributing and therefore cannot be used. Staff finds the front yard setbacks of the contributing houses on the block face range from 17' to 32'. The proposed front yard setback is 29.6' and therefore meets the requirement.

Per underlying zoning, the side yard shall be no less than 7' and the rear yard shall be no less than 15'. Staff finds the proposed side and rear yard setbacks meet the setback requirement. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. The FAR is not indicated on the plans. Staff recommends the Applicant provide documentation the FAR requirement has been met. The maximum lot coverage allowed is 55%. The lot coverage calculations are not indicated on the plans, Staff recommends the Applicant submit documentation the lot coverage requirements have been met.

Per Staff recommendation, the FAR calculations are indicated on the plans. The proposed FAR is .16 and therefore meets the requirements. Per Staff recommendation, the lot coverage calculations are indicated on the plans. According to the Applicant, the maximum lot coverage allowed is 3,915 sq. ft. The proposed lot coverage is 2,243 sq. ft. and therefore meets the requirements.

Per regulations, there is no parking allowed in the front yard. The proposed driveway is located 20' past the porch but not 20' past the front wall of the house and is therefore considered parking in the front yard. Staff recommends the proposed driveway is located no less than 20' past the front wall of the house. The site plan indicates an existing concrete sidewalk. If the sidewalk is damaged beyond repair, the sidewalk shall be replaced in accordance with the regulations.

In updated site plans, the porch is now indicated on the other side of the house. As such, the driveway is now located 20' past the front façade of the house. Staff finds the parking requirement has been met. Staff retains its recommendation regarding the sidewalk.

Massing Roof Form and Building Height

The proposed house is defined by a hipped roof, two-thirds width porch and front gable projecting bay. Staff finds the overall design and massing of the proposed house is similar to the contributing houses at 1156 and 1178 Oak Street.

Per regulations, the roof form and pitch are based on the compatibility rule. According to the Applicant, the roof forms on the block face are hipped and have either a 6 in 12 or 7 in 12 roof pitch. Staff finds the proposed roof form meets the requirements, however Staff finds the rear of the roof is not hipped. Staff recommends the rear portion of the roof is hipped to be consistent with other similar houses. Staff finds the predominate roof pitch is 7 in 12. As such, Staff recommends the proposed roof pitch be 7 in 12.

Per Staff recommendation, the rear portion of the roof is hipped. Per Staff recommendation, the proposed roof pitch is 7 in 12.

Per regulations, the house height is based on the compatibility rule. According to the Applicant, the heights of the contributing houses on the block face range from 18' to 19.5'. The proposed height is 18.5' and therefore meets the requirements. Per regulations, the height of the first floor is based on the compatibility rule. The first floor heights on the block face range from 21" to 30". The proposed first floor height is 21" and therefore meets the requirements.

Building Facades

The Commission reviews the façades visible from a public street. As this is an interior lot, Staff will only make comments on the front and side facades.

Windows and Doors

A single front door is parallel and facing the street frontage, as required by the regulations. There is also a side door. Per regulations, new doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule. Staff finds the design of the front and side doors do not meet the requirements. Staff recommends the front and side doors are wood, contain a rectangular light opening and meet the compatibility rule requirements.

In looking at the plans, there is a front and rear door as opposed to a side door. As the rear door is not visible from a public right-of-way, Staff has no comments. The notations on the plans indicate the front door will be wood with glass panels. Staff finds that glass panels are not appropriate. Staff recommends the front door have a single rectangular light opening.

The windows found on the block's contributing buildings have sashes vertical in proportion, are mostly 1 over 1, double hung and take up equal portions of wall space. The proposed windows have appropriate headers, sills, space between units and trim. The narrative indicates the proposed windows will be vinyl. Per regulations, the material of the window is based on the compatibility rule. Staff recommends the Applicant provide documentation the material of the windows meets the compatibility rule requirement.

The notations on the plans indicate the windows will be wood. Staff finds that wood windows meet the requirements.

Building Materials

In comparing the narrative to the plans, there is a discrepancy in the material details. Staff recommends the elevations indicate all material details. Staff recommends the Applicant clarify what the proposed building materials are. In general, Staff finds most of the materials indicated on the narrative and the elevations are appropriate. Staff recommends the elevations indicate smooth cementitious siding with a 4" -6" reveal.

Per Staff recommendation, all material details are indicated on the plans. Per Staff recommendation, the façade material is indicated as smooth cementitious siding with a 4" to 6" reveal.

Porch and Ramp

The proposed two-thirds width porch has a depth of 6'. Staff would note that the regulations do not require a minimum depth for porches. Staff finds the overall configuration, design and porch elements, including the railing, columns, frieze, architrave and stairs are appropriate.

There is an ADA accessible ramp on the side of the house that leads to the rear. Staff finds the overall design of the railing and location towards the rear of the house makes it consistent with other similar ramps. Staff does not have a concern regarding the proposed ramp.

In updated plans, the ADA accessible ramp is now on the rear of the house as opposed to on the side and rear. Staff has no concerns regarding the new location of the ramp.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type III Certificate of Appropriateness CA3-13-114) for a new single family house at **1172 Oak Street**-Property is zoned R-4A/West End Historic District, with the following conditions:

1. If the sidewalk is damaged beyond repair, the sidewalk shall be replaced in accordance with the regulations, per Section 16-20G.006(17)(d);
2. The front door shall have a single rectangular light opening, per Section 16-20G.006(3)(k);
and
3. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

May 14, 2014

REVISED

May 28, 2014

(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-124) for alterations and an addition and (CA3-14-135) for a variance to allow an addition taller than the existing house and with a higher ridge line at **1030 Austin Ave.** - Property is zoned R-5 / Inman Park Historic District / Beltline.

Applicant: Daniel Hanlon
322 Clifton Rd.

Facts: According to the District inventory sheet, the house was built in 1920 and is considered contributing to the District. The one-story, front gable roof house has a full-width front porch. The front yard of the lot sits above the sidewalk and the house itself sits on a relatively standard crawlspace foundation.

The Applicant proposes to:

1. Add an addition to the top of the house by building a side-to-side gable with the front of the gable springing from the front façade of the house and extending almost to the rear façade of the house;
2. On the front façade: replace the existing attic vent louvers with double hung, simulated divided light, wood windows; and restore two of the front porch column bases by removing the extra, applied brick that is part of the stair cheek walls;
3. On the west façade: add a 1" x 10" wood water table / band trim at the top of the foundation; add a transom window in the front portion; add two, double hung, simulated divided light, wood windows in the rear portion; add a group of four casement windows (two relocated and two new, wood, simulated divided light) at the very rear, inset portion; and
4. On the east façade: add paired, double hung, simulated divided light, wood windows in the rear portion; screen in the rear porch; and add a skylight on the existing gable behind the new side-to-side gable.

No site work is proposed as this time. No existing elevations will be submitted for the side elevations, but some photographs were provided.

On May 20, 2014, the Applicant provided a revised variance argument, drawings, and supporting materials. These revised items are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - d. Compatibility rule:
 - i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the

- greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
- (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
- f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
- 2. Certificates of appropriateness.
 - a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
 - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.
- 3. Variances, Special Exceptions, and Appeals.

Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.

Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.

- q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
- 2. Setback requirements:
 - b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - v. Floor area ratio shall not exceed 0.50.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis:

The Applicant submitted a variance analysis previously sent to Commission members.

The Applicant notes in their variance analysis that the existing ridge line would preclude creation of a second floor on the house due to a lack of head height (approximately 7 ft.). The Applicant further notes that the existing ridge height is “significantly lower than almost every other house on the block face.” Lastly, the Applicant notes that with the proposed addition, the front façade of the house would be intact, would have a limited visual effect from the street, and wouldn’t be taller than other houses on the block face. In addition, the Applicant included a photographic study of part of the block face noting various heights and relationships between the houses.

While the Staff agrees that 7 ft. head height is not sufficient for living space, the Applicant has not shown why not being able to use the entire attic of a house for a new second floor is a hardship. Further, the Staff would not concur that the proposed side-to-side gable would be not be lower than almost every other house on the block face. For example, it would appear to be taller than the two houses immediately to the right of the subject house. The Staff would note that the house to the left is a 1990s in-fill construction reviewed under the terms of the SPI-5 zoning district. Lastly, the Staff finds that the proposed side-to-side gable, even viewed in

perspective from the street looking up, will be a substantial change in the house's character and visual presence, even with the limited changes to the front façade.

The Staff finds that the Applicant has not shown that there are conditions extraordinary or exceptional to the lot, an unnecessary hardship would be created to make an addition that meets the height requirements, there are peculiar conditions related to this property or that there would not be substantial detriment to the public good.

Therefore the Staff would recommend deferral of the variance to allow time for the Applicant to attempt to document that the requested variance meets the criteria for the variance being issued.

In the revised variance argument, the Applicant noted that the lot coverage would only allow for about 450 sq. ft. of additional living space if it was put on the ground floor in a rear addition. The proposed second floor is about 1,600 sq. ft. The Applicant also notes that there is a retaining wall and elevated grade towards the rear of the lot that would make a potential rear addition "awkward". The Applicant also included a rendering of how the new gable roof / ridge line would appear from the street level (given the elevated grade of the property) and in comparison to the adjacent houses.

While the Staff would agree that it would difficult to make a 1,600 sq. ft. addition to the rear of the house, it is still concerned about the relationship of this addition to the existing massing of the house and the other historic houses on the block face. The new gable will still be a significant visual change to the house essentially making a front-facing gable house into a side gable house. Further, the rendering appears to show that the proposed gable (as viewed from the street) would be equal in height to the historic house to the right and potentially as tall as the historic house to the right of that.

Given that the Staff finds that the program could not be accommodated in a rear addition, the Staff thinks that the size and scale of the proposed addition needs to be as minimal as possible to accommodate the desired program. As the proposed design incorporates the same roof slope as the existing house, almost the entire portion of the new gable above the existing ridge line is unused space. It would also appear that with the exception of the portion of the addition above the stairs, the corners of the addition also are unused space. This allocation of floor area might suggest that some type of dormer or other roof form could accommodate the addition and at the same time reduce its visual presence, size, and scale. Given the significance of the request, the Staff would recommend the Applicant provide an analysis of alternative roof forms and configurations that would reduce the visual presence, size, and scale of the proposed addition and show that the proposed design is the only reasonable solution to accommodating the desired program.

Design Analysis:

Add an addition to the top of the house by building a side-to-side gable with the front of the gable springing from the front façade of the house and extending almost to the rear façade of the house.

Given the Staff's concerns regarding the variance related to the addition's height in relationship to the existing house, the Staff will only address the setbacks and architectural characteristics of the addition, including the individual architectural features.

The addition will be located on top of and aligned with the existing facades of the house. Given that the existing house is considered contributing to the District (and thus automatically within the range on the block face) the front and rear yard setbacks of the addition met the District regulations. Given the addition will not be any closer to the side property lines on both the left and right sides as the closest point of the left and right sides of the existing house, the addition meets the side yard setback requirements as well.

While the Staff generally concurs with the architectural composition of the side ends of the gable (siding / shake combination, window design and sizes, etc.), it is concerns about the use of the standing seam metal shed roofs. Metal roofing is uncommon in the District, including on Bungalows. Further, the Staff is concerned about the seven (7) on the east facade and the eight (8) brackets on the west facade that will be used underneath the metal shed roof as too numerous. The Staff would recommend that the metal shed roof and associated brackets be redesigned to be compatible with the existing architecture of the house.

The metal roofing material has been removed and replaced with shingle to match the rest of the house. The shed roof brackets have been reduced to three (3) on the west elevation and four (4) on the east elevation. The Staff does not have concerns about the revised shed roof design.

On the front façade: replace the existing attic vent louvers with double hung, simulated divided light, wood windows; and restore two of the front porch column bases by removing extra, applied brick that is part of the stair cheek walls.

The Staff has no concerns about the replacement of the attic louvers or the removal of the extra, applied brick to the front porch columns.

On the west façade: add a 1" x 10" wood water table / band trim at the top of the foundation; add a transom window in the front portion; add two, double hung, simulated divided light, wood windows in the rear portion; add a group of four casement windows (two relocated and two new, wood, simulated divided light) at the very rear, inset portion.

The Staff does not have concerns about the addition of the wood water table / band trim or the design of the two windows on the rear portion of the façade. The Staff does have concerns about the two other changes to this façade.

First, the Staff is concerned about the size and location of the transom window. While it understands the use of decorative transom and similar smaller windows as accent windows in certain rooms (dining rooms, bathrooms, closets) and in stair ways / stair halls, this transom is unusually long accentuating its horizontal form and presence. Also, there are existing windows that will be removed, which based on the limited photographs do not appear to be in poor

condition and have the house's distinctive transom design. The Staff would recommend the Applicant provide more information about the existing windows where the transom window will be located on the west façade and that the transom window design on the west façade be redesigned to decrease the length of the window and its horizontal presence.

The horizontal transom window has been removed and been replaced with a small double hung window that retains the existing decorative transom. However, the Staff is still concerned about the removal of the double hung windows. The Staff would recommend the Applicant document the condition of the double hung windows on the front portion of the west façade and why an alternative design can't be used that would retain them.

Second, the Staff is concerned that the new and relocated casement windows will be replacing existing windows which appear, based on the limited photographs, to be in good condition. The Staff would recommend the Applicant provide more information about the existing windows where the grouped casement windows will be located on the west façade.

As no substantial new information was provided in the revised submission, the Staff would retain its previous recommendation.

On the east façade: add paired, double hung, simulated divided light, wood windows in the rear portion; screen in the rear porch; and add a skylight on the existing gable behind the new side-to-side gable.

The Staff has no concerns about the screening-in of the existing porch. The Staff would recommend the Applicant document that lack of visibility from the public street of the proposed skylight. While the Staff has no concerns about the design of the proposed windows, it is not clear that the condition of the existing windows that would come out in this location necessitates their replacement. The Staff would the Applicant provide more information about the existing windows where the new, paired windows will be located on the east façade.

As no substantial new information was provided about the visibility of the skylight or the existing windows to be replaced, the Staff would retain its previous recommendations.

Other Design Concerns

The Staff would recommend that the plans specify that all exterior light divisions shall be permanently affixed to the exterior of the glass.

This has been noted on the plans.

The Staff would recommend the Applicant clarify the calculations for the floor area ratio.

The plans include a clear floor area calculation, which meets the District and underlying zoning regulations.

The Staff would recommend the Applicant clarify the proposal for the partially completed front walk and document that it meets the District regulations.

The completion of the existing, partial front walk system will be brick pavers or concrete, both of which meet the District regulations.

Variance (CA3-14-135):

Staff Recommendation: Based upon the following:

- (a) *The Applicant has not shown that all of the variance criteria have been met, per Section 16-26.003(1).*

Staff recommends *approval* of the application for a Type III Certificate of Appropriateness (CA3-14-135) for a variance to allow an addition taller than the existing house and with a higher ridge line at **1030 Austin Ave.** - Property is zoned R-5 / Inman Park Historic District / Beltline to allow time for the Applicant to address the following comments and concerns:

1. *The Applicant shall provide an analysis of alternative roof forms and configurations that would reduce the visual presence, size, and scale of the proposed addition and show that the proposed design is the only reasonable solution to accommodating the desired program, per Section 16-26.003(1).*

Design Review (CA3-14-124):

Staff Recommendation: Based upon the following:

- (a) The Staff recommendation regarding CA3-14-135; and
(b) Some components of the proposal meet the District regulations, per Section 16-20L.005 and Section 16-20L.006.

Staff recommends *approval* of an application for a Type III Certificate of Appropriateness (CA3-14-124) for alterations and an addition and (CA3-14-135) for a variance to allow an addition taller than the existing house and with a higher ridge line at **1030 Austin Ave.** - Property is zoned R-5 / Inman Park Historic District / Beltline with the following conditions:

1. *The Applicant shall document the condition of the double hung windows on the front portion of the west façade and why an alternative design can't be used that would retain them, per Section 16-20L.005(1)(b);*
2. *The Applicant shall provide more information about the existing windows where the grouped casement windows will be located on the west façade, per Section 16-20L.005(1)(b);*
3. *The Applicant shall document the lack of visibility from the public street of the proposed skylight, per Section 16-20L.006(1)(q)(x);*
4. *The Applicant shall provide more information about the existing windows where the new, paired windows will be located on the east façade, per Section 16-20L.005(1)(b); and*
5. *The Staff shall review, and if appropriate approve, the final plans, elevations, and supporting materials.*